

BEFORE THE TENNESSEE REGULATORY AUTHORITY

Nashville, Tennessee
November 25, 2003

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In Re: *Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding) (Switching)*
Docket No. 03-00491

**NUVOX COMMUNICATIONS, INC.'s RESPONSE TO BELL SOUTH
TELECOMMUNICATIONS, INC.'S
FIRST REQUESTS FOR PRODUCTION OF DOCUMENTS
TO NUVOX COMMUNICATIONS, INC.**

NuVox Communications, Inc. ("NuVox") responds to BellSouth Telecommunications, Inc. ("BellSouth"), by answering the following discovery requests in the time established by the Procedural Schedule provided by Director Jones on October 21, 2003.

RESPONSE TO REQUESTS FOR PRODUCTION

1. Produce all documents identified in response to BellSouth's First Set of Interrogatories.

RESPONSE: See documents attached.

2. Produce every business case in your possession, custody or control that evaluates, discusses, analyzes or otherwise refers or relates to the offering of a qualifying service in the State of Tennessee.

RESPONSE: None.

3. Produce all documents referring or relating to the average monthly revenues you receive from end user customers in Tennessee to whom you only provide qualifying service.

RESPONSE: NuVox objects to this request to produce on the grounds that this Request seeks information that is unrelated to and inconsistent with the impairment

analysis prescribed in the TRO, is therefore irrelevant to the issues in the case and the analysis to be conducted by the Commission, and is not reasonably designed to lead to the discovery of admissible evidence. NuVox objects to the requests to the extent they seek or may be deemed to seek or require the production or disclosure of information or documents subject to the attorney/client, the accountant/client privilege, any confidentiality or non-disclosure agreement or any other applicable privilege, including the work product doctrine or the protection afforded mental impressions, conclusions, opinions or legal theories of NuVox's attorneys or its representatives. NuVox also objects on the grounds this request seeks the disclosure of commercially sensitive, confidential and proprietary business information. NuVox objects to this request because the terms "qualifying service" and "non-qualifying service," are undefined, as more fully explained in General Objection 9 above. Therefore, this request is overly broad and it would be unduly burdensome for NuVox to respond to such ambiguous discovery.

4. Produce all documents referring or relating to the average number of access lines you provide to end user customers in Tennessee to whom you only provide qualifying service.

RESPONSE: See documents attached.

5. Produce all documents referring or relating to the average monthly revenues you receive from end user customers in Tennessee to whom you only provide non-qualifying service.

RESPONSE: See Response to Request No. 3.

6. Produce all documents referring or relating to the average monthly revenues you receive from end user customers in Tennessee to whom you provide both qualifying and non-qualifying service.

RESPONSE: See Response to Request No. 3.

7. Produce all documents referring or relating to the average number of access lines you provide to end user customers in Tennessee to whom you provide both qualifying and non-qualifying service.

RESPONSE: See copies of documents attached as referenced in NuVox's Answers to Interrogatories.

8. Provide all documents referring or relating to the classifications used by NuVox to offer service to end user customers Tennessee (e.g., residential customers, small business customers, mass market customers, enterprise customers, or whatever type of classification that you use to classify your customers).

RESPONSE: None.

9. Produce all documents referring or relating to the average acquisition cost for each class or type of end user customer served by NuVox, as requested in BellSouth's First Set of Interrogatories No. 34

RESPONSE: None.

10. Produce all documents referring or relating to the typical churn for each class or type of end user customer served by NuVox, as requested in BellSouth's First Set of Interrogatories No. 35.

RESPONSE: None.

11. Produce all documents referring or relating to how NuVox determines whether to serve an individual customer's location with multiple DS0s or with a DS1 or larger transmission system.

RESPONSE: None.

12. Produce all documents referring or relating to the typical or average number of DS0s at which NuVox would choose to serve a particular customer with a DS1 or larger transmission system as opposed to multiple DS0, all other things being equal.

RESPONSE: None.

13. Produce all documents referring or relating to the cost of capital used by NuVox in evaluating whether to offer a qualifying service in a particular geographic market.

RESPONSE: None.

14. Produce all documents referring or relating to the time period used by NuVox in evaluating whether to offering a qualifying service in a particular geographic market (e.g., one year, five years, ten years or some other time horizon over which a project is evaluated)?

RESPONSE: None.

15. Produce all documents referring or relating to your estimates of sales expense when evaluating whether to offer a qualifying service in a particular geographic market.

RESPONSE: None.

16. Produce all documents referring or relating to your estimates of general and administrative (G&A) expenses when evaluating whether to offer a qualifying service in a particular geographic market.

RESPONSE: None.

17. Produce all documents referring or relating to any complaints by NuVox or its end user customers about individual hot cuts performed by BellSouth since January 1, 2000.

RESPONSE: None.

18. Produce all documents referring or relating to a batch hot cut process used by any ILEC in the BellSouth region that is acceptable to NuVox or that NuVox believes is superior to BellSouth's batch hot cut process.

RESPONSE: None.

19. Produce all documents referring or relating to an individual hot cut process used by any ILEC in the BellSouth region that is acceptable to NuVox or that NuVox believes is superior to BellSouth's individual hot cut process.

RESPONSE: None.

20. Produce all documents referring or relating to a batch hot cut process used by any ILEC outside the BellSouth region that is acceptable to NuVox or that NuVox believes is superior to BellSouth's batch hot cut process.

RESPONSE: None.

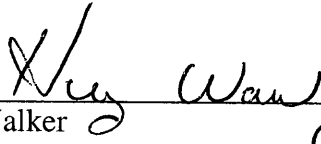
21. Produce all documents referring or relating to an individual hot cut process used by any ILEC outside the BellSouth region that is acceptable to NuVox or that NuVox believes is superior to BellSouth's individual hot cut process.

RESPONSE: None.

Respectfully submitted,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By: _____


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CERTIFICATE OF SERVICE

I hereby certify that on November 25, 2003, a copy of the foregoing document was serviced on the parties of record, via US mail:

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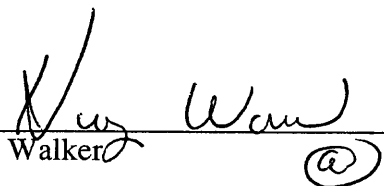
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